

If the leadership of the Pentagon thinks that "defense transformation" means getting Congress to stick its head in the sand, count me out. My idea of transformation means spending smarter to build a stronger military, not turning a blind eye to Executive Branch power grabs.

It is our fault. I can understand how the executive branch seeks to grab power. The executive branch is operating 24 hours a day every day, 365 days a year. Everywhere its imprint is seen throughout the globe, Congress sleeps.

The flexibilities in this bill are the antitheses of accountability. For each new "flexible authority" that Congress hands over to the Secretary of Defense—any Secretary of Defense—Congress signs away one more lever that should be used to compel the Secretary to build a smarter defense plan.

The Commander in Chief beats his chest and throws down the gauntlet, saying, "Bring them on," in front of the TV cameras, but pictures of the fallen dead coming home to Dover are not allowed.

Oh, we don't want to display the pictures of bringing back the caskets at Dover, DE. No. The American people must not see that side of the war. This is a stubborn course that we have chosen that could tie down our forces in Iraq for months and months and months, and years even to come, and it is a course that I oppose today. It is a course I have opposed from the beginning. This ill-advised invasion and occupation of a Middle Eastern country stands to sap—sap—our military power through the attrition of our brave men and women in uniform. The effects of such a toll could affect our national security for decades to come.

The United States cannot afford to shelve—to place on the shelf—efforts to leap forward a generation in military power by investing in a smarter defense plan. If our country does not prioritize efforts to change our military to respond to the asymmetric warfare of the 21st century—whether those threats emanate from North Korea, or a belligerent China, or Iran—the long-term toll of the adventure in Iraq could weaken our military for years to come, just as our Armed Forces were found to be hollow in the years after Vietnam.

I will vote against the conference report to the Defense authorization bill. It transfers vast unchecked powers to the Defense Department while avoiding any break with the business-as-usual approach to increasing defense spending. It dodges the most important issues facing our national defense posture, and I cannot support such a bill.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mrs. DOLE).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004—CONFERENCE REPORT—Resumed

The PRESIDING OFFICER. Under the previous order, the hour of 2:15 having arrived, the Senate will proceed to the consideration of the conference report to accompany H.R. 1588, which the clerk will report.

The assistant legislative clerk read as follows:

Conference report to accompany H.R. 1588, an act to authorize appropriations for fiscal year 2004 for military activities for the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strength for such fiscal year for the Armed Forces, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 20 minutes equally divided prior to a vote on the conference report.

Mr. REID. Madam President, if the manager will yield, it is my understanding the leadership is going to extend the time for the vote another 10 minutes.

Mr. WARNER. Madam President, the distinguished minority leader is correct that the time has been extended. The vote is to occur, I understand, at 2:45. The 30 minutes intervening is under the control equally of the distinguished Senator from Michigan, Mr. LEVIN, and myself.

Mr. REID. Madam President, I ask consent that that be the order. We have a caucus going on now.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Madam President, I encourage any and all Senators who desire to address this bill to avail themselves of the opportunity. To the extent that I have control over the 15 minutes, I am happy to accommodate Senators as they come to the floor.

I yield such time as the distinguished Senator may require. I hope it will be around 5 or 6 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I apologize to our distinguished chairman for not having been down here during this discussion. As he well knows, I chair the Environment and Public Works Committee. I am proud to say we were able to get a bill out, the reauthorization bill. I feel very good about that. It will be coming to the floor. It is a good compromise but it required my attendance.

I want to be on record to say that our chairman and the ranking member have done a very good job. We have

worked closely together during the development of the authorization bill. We are making great headway. We are turning in the right direction. I particularly applaud those who participated in the ultimate compromise that we agreed on having to do with the lease program, the 767s. We all understand we have a crisis in our tanker fleet. Our KC-135s are getting old and there is controversy over how much longer they can be used. Nonetheless, our pilots who are performing this significant mission of refueling need to have the very best. We are addressing that problem.

In the area of TRICARE, we have made some advancements that are long overdue. I know in my State of Oklahoma, we probably have one of the highest populations of retired military, many of them in Lawton and scattered throughout the State. I know there are very serious concerns we have gone a long way to meet.

Environmental issues bother me a great deal, and maybe I am more concerned about what has happened to our ability to train our troops, because I happen to also chair the Environment and Public Works Committee. So we deal with the environmental issues.

But it is very disheartening when you go down to your part of the country and see what has happened in some of the endangered species programs and how we are addressing those.

In Fort Bragg, in Camp Lejeune, for example, we are spending such an inordinate amount of money protecting the suspected habitat of the red-cockaded woodpecker that it is having a very deteriorating effect on our ability to train. This is something that does concern me greatly, and we are starting to address that, I know, in relation to the issue of endangered species. We have clarified the law that is going to perhaps, hopefully, stop some of the injunctions that have been taking place. I think we are making some progress there.

I am glad we are addressing end strength—not as much as I would like to or our chairman would like to because this is a compromise situation, but we have to recognize that we allowed our end strength to deteriorate, in terms of numbers, to the point that we are OPTEMPO of our regular services, we are OPTEMPO for our Guard and the Reserves. It is at an unacceptably high rate.

I do not think there is one Member of this Senate who does not go home and talk to his Guard and Reserve units, only to find out that critical MOS, military occupation specialties, are being lost because they are just overworked. You cannot expect someone who is in a citizens militia to have to be full time. Essentially, that is what is happening right now.

So we are starting to address that, and I think we need to go much further in the future. When I see that we did have a problem all during the 1990s, that I articulated on this Senate floor,